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14 (additional counsel on signature page)

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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION  
21

22 HEROES CLUB, INC., a California Corporation,  
23 Plaintiff,  
24 v.  
25 UNITED PARCEL SERVICE, INC., and DOES  
1-50,  
26 Defendants.  
27

Case No. 07-4422 JCS

**STIPULATION AND  
[PROPOSED] ORDER  
REGARDING BRIEFING  
SCHEDULE**

1 WHEREAS, Defendant United Parcel Service, Inc. filed a Motion for Judgment on the  
2 Pleadings, which was rescheduled for hearing by the Court's November 14, 2007 Order to  
3 **February 8, 2008** at 9:30 a.m.;

4 WHEREAS, by Order dated November 14, 2007, the Court issued a briefing schedule  
5 requiring the opposition to be filed by November 30, 2007, and reply brief to be filed by  
6 December 14, 2007, and Plaintiff filed its opposition on November 30, 2007, and

7 WHEREAS, on December 7, 2007, pursuant to stipulation, the Court extended the time  
8 for UPS to file a reply brief to December 31, 2007, to allow the parties an opportunity to discuss  
9 potential resolution of the plaintiff's complaint; and

10 WHEREAS, to allow additional time to discuss resolution of the matter, the parties have  
11 agreed, subject to Court approval, to further extend the briefing schedule to allow Defendant to  
12 file its reply papers on or before January 11, 2008;

13 IT IS HEREBY STIPULATED by and between the parties, through their counsel of  
14 record, to request that the Court order that **Defendant's reply brief shall be filed on or before**  
15 **January 11, 2008.**

16 IT IS SO STIPULATED.

17 Dated: December 20, 2007

18 PAUL T. FRIEDMAN  
19 ANNEMARIE C. O'SHEA  
20 SARA MAHDAVI  
21 MORRISON & FOERSTER LLP

22 By: /s/ Paul T. Friedman  
23 Paul T. Friedman

24 Attorneys for Defendant  
25 UNITED PARCEL SERVICE, INC.  
26  
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28

1 Dated: December 20, 2007

JAMES C. STURDEVANT  
MARK T. JOHNSON  
ALEXUIS MARKWALDER  
THE STURDEVANT LAW FIRM

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8  
9 By: /s/ Mark T. Johnson  
Mark T. Johnson

10 Attorneys for Plaintiff  
11 HEROES CLUB, INC.

12  
13  
14  
15 I, Paul T. Friedman, am the ECF user whose ID and password are being used to file this  
16 Stipulation. In compliance with General Order 45, I hereby attest that Mark T. Johnson, counsel  
17 for Plaintiff, has concurred in this filing.

18 Dated: December 20, 2007

19  
20 By: /s/ Paul T. Friedman  
Paul T. Friedman

21 Attorneys for Defendant  
22 UNITED PARCEL SERVICE, INC.

1 [PROPOSED] ORDER

2 PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO  
3 ORDERED.

4 DATED: 12/21, 2007

5  
6  
7 Honorable  
United States

